

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

HONORABLE WILLIAM C. GRIESBACH, presiding
December 21, 2005

Case No.: 04-CR-241

Deputy Clerk: Cheryl
Court Reporter: 122105
Begin: 2:32
End: 3:36

UNITED STATES OF AMERICA
v.
HAILIN LIN

SENTENCING MINUTES

United States by: ~~Michelle L. Jacobs~~ Erica O'Neil

Defendant: Hailin Lin, in person, and by

Defense Counsel: Stephen M. Glynn

Probation Officer: Mitch Farra

Interpreter: ☐ None ☒ Sworn

☐ Probation

_____ years on Count(s) _____ of the _____

☒ Custody of Bureau of Prisons:

42 months on Count(s) 1 of the ss indictment
42 months on Count(s) 6 of the ss indictment
_____ months on Count(s) _____ of the _____

to run concurrently/consecutively for a total term of 42 months.

☒ Supervised Release:

2 years on Count(s) 1 of the ss indictment
2 years on Count(s) 6 of the ss indictment
_____ years on Count(s) _____ of the _____

to run concurrently/consecutively for a total term of 2 years.

Remaining
COUNT(S) of the (Superseding) Indictment are DISMISSED on motion of Government.

Special Conditions of Supervised Release:

- ☒ Report within 72 hours of release from imprisonment.
- ☒ No firearms/dangerous weapons.
- ☒ No illegal possession of controlled substance. */ Testing waived*
- ☐ Reside for _____ days in a community correctional center.
- ☐ Cooperate with BICE.
- ☒ ~~Drug/Alcohol testing and treatment.~~
- ☐ Participate in a mental health treatment program and take prescribed medication.
- ☐ Not allowed to work at or patronize taverns.
- ☐ Pay any balance of the fine/restitution at a rate of not less than \$ _____ per month.
- ☐ No new lines of credit.
- ☐ Financial Disclosure.
- ☐ No Gambling.
- ☒ Cooperate in the collection of DNA.
- ☐ No employment having fiduciary responsibilities.
- ☐ Participate in a sexual offender mental health treatment program.
- ☐ Cooperate with the Child Support Enforcement Unit.
- ☐ Cooperate with IRS, submit delinquent returns, and pay back taxes and interest.
- ☐ Provide USPO with computer pseudonyms, passwords, logons.
- ☐ Consent to unannounced exam of computer equipment.
- ☐ Waive rights to confidentiality re sex offender mental health treatment.
- ☐ No possession of pornography/erotica.
- ☐ Register as a convicted sex offender.
- ☐ No computer usage.

Fine: \$ 50,000.00 *w/ in 60 days*

- ☐ Fine is waived due to defendant's inability to pay.
- ☐ Interest on fine is waived.
- ☐ Defendant is to participate in FBP Inmates' Financial Responsibility Program.

Restitution: \$ _____

Forfeiture: Shall be incorporated into Judgment

Special Assessment: \$ 200 - (\$100 a to each count)

☒ To be paid as soon as possible.

☐ Other: _____

☒ DEFENDANT ADVISED OF RIGHT TO APPEAL.

Custody:

☐ Defendant is remanded to the custody of the U.S. Marshal.

☐ Execution of this sentence is stayed until _____.

☒ Defendant is to voluntarily surrender.

Recommendations:

☒ Facility: West VA (Alderson)

☐ 500-hour drug program.

☐ Boot camp.

☐ Shock Incarceration program.

☐ Other: _____

The court adopts the facts in the PSR as findings of fact. The court adopts the application of the guidelines. Parties have agreed to range of 24-48 months. Govt. has agreed not to recommend not more than 48 months. Govt. requests court to focus on the need for deterrence due to seriousness of the offense.

Defendant did not start business, or establish contacts in China. Mr. Qu was partly giving def direction as to what documents to falsify. Defendant has cooperated in full. Defendant requests term at low end of the guideline.

Govt. states Ms. Lin did deprive but was not willing to testify against her husband.

3:13 Court recesses

3:23 Court resumes

Court looks at seriousness of the offense. Defendant has no criminal history and has many positive characteristics. Court considers def's remorse and cooperation and contributions to the community. Court imposes sentence.